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6 Attorneys for Defendant and Counterclaimant  
7 INDYMAC VENTURE, LLC

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10 EDEN GARDEN, LLC, a California  
limited liability company; ALI K.  
11 AMIDY, an individual; GUITI  
NAHAVANDI AMIDY, an individual;  
12 CENTRA NET INVESTMENT LLC, a  
California limited liability company,

13 Plaintiffs,

14 v.

15 INDYMAC VENTURE, LLC, a limited  
16 liability company, FEDERAL DEPOSIT  
INSURANCE CORPORATION, as  
17 Conservator of IndyMac Federal Bank,  
FSB, and DOES 1-10,

18 Defendants.

19  
20 INDYMAC VENTURE, LLC, a limited  
liability company,

21 Counterclaimant,

22 v.

23 ALI K. AMIDY, an individual; GUITI  
24 NAHAVANDI AMIDY, an individual;  
CENTRA NET INVESTMENT LLC, a  
25 California limited liability company,

26 Counterdefendants.

Case No. CV11-02356-JF

This matter assigned to Honorable Jeremy  
Fogel, Courtroom No. 3, for All Purposes

**NOTICE OF PLAINTIFFS' FAILURE  
TO SERVE OPPOSITION TO  
INDYMAC VENTURE, LLC'S  
MOTION TO EXPUNGE LIS  
PENDENS**

Date: August 5, 2011  
Time: 9:00 a.m.  
Ct rm: 3, Fifth Floor

Complaint Filed: May 13, 2011

**TO THE COURT AND TO ALL PARTIES OF RECORD:**

PLEASE TAKE NOTICE THAT, as of July 13, 2011, moving party Indymac Venture, LLC has not been served with papers in opposition to its Motion to Expunge the Lis Pendens recorded by Plaintiffs in connection with this action. [Dkt 18.]

The Motion was served by mail on Plaintiffs' counsel on June 22, 2011. [See id. at p. 19.] Pursuant to Local Rules 5-5 and 7-3, any opposition papers were due to be filed with this Court and served on all parties on or before July 6, 2011.

In light of the foregoing, Indymac Venture submits that the Motion is unopposed and respectfully requests that the Court grant the Motion to Expunge the Lis Pendens and enter the Order submitted by Indymac Venture in connection therewith. [Dkt 22.]

Dated: July 13, 2011

ALLEN MATKINS LECK GAMBLE  
MALLORY & NATSIS LLP  
A. KRISTINE FLOYD  
NICHOLAS S. SHANTAR

By: /s/Nicholas S. Shantar

NICHOLAS S. SHANTAR  
Attorneys for Defendant and  
Counterclaimant  
INDYMAC VENTURE, LLC

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that: I am over the age of eighteen (18) and not a party to the within action. I am employed in the law firm of Allen Matkins Leck Gamble Mallory & Natsis LLP, 1900 Main Street, Fifth Floor, Irvine, California 92614-7321.

On July 13, 2011, I used the Northern District of California's Electronic Case Filing System, with the ECF registered to Nicholas S. Shantar to file the following document:

**NOTICE OF PLAINTIFFS' FAILURE TO SERVE OPPOSITION  
TO INDYMAC VENTURE, LLC'S MOTION TO EXPUNGE LIS  
PENDENS**

The ECF system is designed to send an e-mail message to all parties in the case, which constitutes service. The parties by e-mail in this case are found on the Court's Electronic Mail Notice List.

Notice has been given via First Class U.S. Mail to:

W. Kenneth Howard, Esq.  
Attorney At Law  
116 East Campbell Avenue, Suite 7  
Campbell, California 95008  
Phone: (408) 379-1904  
Fax: (408) 379-1902

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on July 13, 2011, at Irvine, California.

By: /s/Nicholas S. Shantar  
NICHOLAS S. SHANTAR